

1 **REQUEST FOR PRODUCTION NO. 76:**

2 All Source Code that relates to the technology claimed or disclosed in the
3 '373 patent, including, without limitation, all Source Code relating to the display of
4 menu items and the display and/or selection of hierarchical menus, subordinate
5 menus, and/or submenus.

6 **RESPONSE:**

7 Vizio incorporates by reference each of its General Objections as though
8 fully set forth herein and further objects to the terms "relates to," "technology
9 claimed or disclosed," "display of menu items," "display and/or selection of
10 hierarchical menus," and "subordinate menus and/or submenus" as vague and
11 ambiguous in this context. Vizio further objects to this RFP as overly broad and
12 unduly burdensome as it seeks information relating to every Vizio product
13 regardless of whether Sony has ever made any allegation of infringement of those
14 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
15 premature in that Sony has not yet identified any accused products or the specific
16 claims that Sony is asserting against each accused product. Vizio further objects to
17 this RFP to the extent it calls for information not within Vizio's possession, custody
18 or control. Vizio further objects to this RFP to the extent it seeks confidential
19 information of any third party.

20 Subject to, and without waiver of the foregoing objections, Vizio will
21 produce non-privileged, responsive and relevant documents, if any, in its
22 possession, custody or control, located after a reasonable search, but only after
23 entry of a suitable protective order and Vizio has received the consent of any third
24 parties to produce any documents containing confidential information of said third
25 parties.

1 **REQUEST FOR PRODUCTION NO. 77:**

2 All Source Code that relates to the technology claimed or disclosed in the
3 '614 patent, including, without limitation, all Source Code relating to the menu
4 display functionality of the Vizio Products.

5 **RESPONSE:**

6 Vizio incorporates by reference each of its General Objections as though
7 fully set forth herein and further objects to the terms "relates to," "technology
8 claimed or disclosed" and "menu display functionality" as vague and ambiguous in
9 this context. Vizio further objects to this RFP as overly broad and unduly
10 burdensome as it seeks information relating to every Vizio product regardless of
11 whether Sony has ever made any allegation of infringement of those products or has
12 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
13 that Sony has not yet identified any accused products or the specific claims that
14 Sony is asserting against each accused product. Vizio further objects to this RFP to
15 the extent it calls for information not within Vizio's possession, custody or control.
16 Vizio further objects to this RFP to the extent it seeks confidential information of
17 any third party.

18 Subject to, and without waiver of the foregoing objections, Vizio will
19 produce non-privileged, responsive and relevant documents, if any, in its
20 possession, custody or control, located after a reasonable search, but only after
21 entry of a suitable protective order and Vizio has received the consent of any third
22 parties to produce any documents containing confidential information of said third
23 parties.

24 **REQUEST FOR PRODUCTION NO. 78:**

25 All Source Code that relates to the technology claimed or disclosed in the
26 '055 patent, including, without limitation, all Source Code relating to the video
27 processing and transmission functionality of the Vizio Products.
28

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and further objects to the terms “relates to,” “technology
4 claimed or disclosed,” “video processing” and “transmission functionality” as
5 vague and ambiguous in this context. Vizio further objects to this RFP as overly
6 broad and unduly burdensome as it seeks information relating to every Vizio
7 product regardless of whether Sony has ever made any allegation of infringement of
8 those products or has a reasonable basis for doing so. Vizio further objects to this
9 RFP as premature in that Sony has not yet identified any accused products or the
10 specific claims that Sony is asserting against each accused product. Vizio further
11 objects to this RFP to the extent it calls for information not within Vizio’s
12 possession, custody or control. Vizio further objects to this RFP to the extent it
13 seeks confidential information of any third party.

14 Subject to, and without waiver of the foregoing objections, Vizio will
15 produce non-privileged, responsive and relevant documents, if any, in its
16 possession, custody or control, located after a reasonable search, but only after
17 entry of a suitable protective order and Vizio has received the consent of any third
18 parties to produce any documents containing confidential information of said third
19 parties.

20 **REQUEST FOR PRODUCTION NO. 79:**

21 All Source Code that relates to the technology claimed or disclosed in the
22 ‘468 patent, including, without limitation, all Source Code relating to the video data
23 communication functionality of the Vizio Products.

24 **RESPONSE:**

25 Vizio incorporates by reference each of its General Objections as though
26 fully set forth herein and further objects to the terms “relates to,” “technology
27 claimed or disclosed” and “video data communication functionality” as vague and
28 ambiguous in this context. Vizio further objects to this RFP as overly broad and

1 unduly burdensome as it seeks information relating to every Vizio product
2 regardless of whether Sony has ever made any allegation of infringement of those
3 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
4 premature in that Sony has not yet identified any accused products or the specific
5 claims that Sony is asserting against each accused product. Vizio further objects to
6 this RFP to the extent it calls for information not within Vizio's possession, custody
7 or control. Vizio further objects to this RFP to the extent it seeks confidential
8 information of any third party.

9 Subject to, and without waiver of the foregoing objections, Vizio will
10 produce non-privileged, responsive and relevant documents, if any, in its
11 possession, custody or control, located after a reasonable search, but only after
12 entry of a suitable protective order and Vizio has received the consent of any third
13 parties to produce any documents containing confidential information of said third
14 parties.

15 **REQUEST FOR PRODUCTION NO. 80:**

16 All Source Code that relates to the technology claimed or disclosed in the
17 '182 patent, including, without limitation, all Source Code relating to the dynamic
18 contrast functionality of the Vizio Products.

19 **RESPONSE:**

20 Vizio incorporates by reference each of its General Objections as though
21 fully set forth herein and further objects to the terms "relates to," "technology
22 claimed or disclosed" and "dynamic contrast functionality" as vague and
23 ambiguous in this context. Vizio further objects to this RFP as overly broad and
24 unduly burdensome as it seeks information relating to every Vizio product
25 regardless of whether Sony has ever made any allegation of infringement of those
26 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
27 premature in that Sony has not yet identified any accused products or the specific
28 claims that Sony is asserting against each accused product. Vizio further objects to

1 this RFP to the extent it calls for information not within Vizio's possession, custody
2 or control. Vizio further objects to this RFP to the extent it seeks confidential
3 information of any third party.

4 Subject to, and without waiver of the foregoing objections, Vizio will
5 produce non-privileged, responsive and relevant documents, if any, in its
6 possession, custody or control, located after a reasonable search, but only after
7 entry of a suitable protective order and Vizio has received the consent of any third
8 parties to produce any documents containing confidential information of said third
9 parties.

10 **REQUEST FOR PRODUCTION NO. 81:**

11 All Source Code that relates to the technology claimed or disclosed in the
12 '472 patent, including, without limitation, all Source Code relating to channel
13 selection, including any channel selection related to major and minor channel
14 numbers.

15 **RESPONSE:**

16 Vizio incorporates by reference each of its General Objections as though
17 fully set forth herein and further objects to the terms "relates to," "technology
18 claimed or disclosed" and "channel selection" as vague and ambiguous in this
19 context. Vizio further objects to this RFP as overly broad and unduly burdensome
20 as it seeks information relating to every Vizio product regardless of whether Sony
21 has ever made any allegation of infringement of those products or has a reasonable
22 basis for doing so. Vizio further objects to this RFP as premature in that Sony has
23 not yet identified any accused products or the specific claims that Sony is asserting
24 against each accused product. Vizio further objects to this RFP to the extent it calls
25 for information not within Vizio's possession, custody or control. Vizio further
26 objects to this RFP to the extent it seeks confidential information of any third party.

27 Subject to, and without waiver of the foregoing objections, Vizio will
28 produce non-privileged, responsive and relevant documents, if any, in its

1 possession, custody or control, located after a reasonable search, but only after
2 entry of a suitable protective order and Vizio has received the consent of any third
3 parties to produce any documents containing confidential information of said third
4 parties.

5 **REQUEST FOR PRODUCTION NO. 82:**

6 All Documents that relate to any joint defense agreement in this action or in
7 any related litigation.

8 **RESPONSE:**

9 Vizio incorporates by reference each of its General Objections as though
10 fully set forth herein and further objects to the terms “relate to” and “related
11 litigation” as vague and ambiguous in this context. Vizio further objects to this
12 RFP as overly broad and unduly burdensome as it seeks information relating to
13 “any related litigation” regardless of whether it is relevant to the claims or defenses
14 of any party or reasonably calculated to lead to the discovery of admissible
15 evidence. Vizio further objects to this RFP to the extent it calls for information
16 protected from disclosure by the attorney-client privilege, work product doctrine
17 and/or common interest or joint defense agreement.

18 **REQUEST FOR PRODUCTION NO. 83:**

19 All Documents that relate to any Communications with any third parties
20 regarding the Vizio Products, the patents-in-suit, or this action, including but not
21 limited to Communications with AmTRAN or Westinghouse Digital Electronics,
22 LLC.

23 **RESPONSE:**

24 Vizio incorporates by reference each of its General Objections as though
25 fully set forth herein and objects to the term “relate to” as vague and ambiguous in
26 this context. Vizio further objects to this RFP as overly broad, unduly burdensome
27 and not reasonably calculated to lead to the discovery of admissible evidence in that
28 it seeks “[a]ll documents that relate to any Communications with any third parties

1 regarding the Vizio Products,” which could encompass every communication Vizio
2 has ever had with a third party. Vizio further objects to this RFP as overly broad
3 and unduly burdensome as it seeks information relating to every Vizio product
4 regardless of whether Sony has ever made any allegation of infringement of those
5 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
6 premature in that Sony has not yet identified any accused products or the specific
7 claims that Sony is asserting against each accused product. Vizio further objects to
8 this RFP to the extent it seeks information subject to attorney-client privilege, the
9 work product doctrine, a common interest privilege and/or joint defense agreement.
10 Vizio further objects to this RFP to the extent it seeks the confidential information
11 of third parties.

12 Subject to, and without waiver of the foregoing objections, Vizio will
13 produce non-privileged, responsive and relevant documents, if any, in its
14 possession, custody or control, located after a reasonable search, but only after
15 entry of a suitable protective order and Vizio has received the consent of any third
16 parties to produce any documents containing confidential information of said third
17 parties.

18 **REQUEST FOR PRODUCTION NO. 84:**

19 All Documents that relate to collaborations, partnerships, agreements, joint
20 ventures, licenses, or other arrangements considered or entered into by Vizio for the
21 purpose of designing, developing, manufacturing, selling or distributing any of the
22 Vizio Products.

23 **RESPONSE:**

24 Vizio incorporates by reference each of its General Objections as though
25 fully set forth herein and further objects to the terms “relate to,” “collaborations”
26 and “other arrangements” as vague and ambiguous in this context. Vizio further
27 objects to this RFP as overly broad and unduly burdensome as it seeks information
28 relating to every Vizio product regardless of whether Sony has ever made any

1 allegation of infringement of those products or has a reasonable basis for doing so.
2 Vizio further objects to this RFP as premature in that Sony has not yet identified
3 any accused products or the specific claims that Sony is asserting against each
4 accused product. Vizio further objects to this RFP to the extent it seeks the
5 confidential information of third parties. Vizio further objects to this RFP to the
6 extent it seeks information subject to attorney-client privilege, the work product
7 doctrine, a common interest privilege and/or joint defense agreement.

8 Subject to, and without waiver of the foregoing objections, Vizio will
9 produce non-privileged, responsive and relevant documents, if any, in its
10 possession, custody or control, located after a reasonable search, but only after
11 entry of a suitable protective order and Vizio has received the consent of any third
12 parties to produce any documents containing confidential information of said third
13 parties.

14 **REQUEST FOR PRODUCTION NO. 85:**

15 All Documents that relate to intellectual property agreements or other
16 arrangements that relate to intellectual property considered or entered into by Vizio
17 for the purpose of designing, developing, manufacturing, selling or distributing any
18 of the Vizio Products.

19 **RESPONSE:**

20 Vizio incorporates by reference each of its General Objections as though
21 fully set forth herein and further objects to the terms "relate to," "intellectual
22 property agreements" and "other arrangements that relate to intellectual property"
23 as vague and ambiguous in this context. Vizio further objects to this RFP as overly
24 broad and unduly burdensome as it seeks information relating to every Vizio
25 product regardless of whether Sony has ever made any allegation of infringement of
26 those products or has a reasonable basis for doing so. Vizio further objects to this
27 RFP as premature in that Sony has not yet identified any accused products or the
28 specific claims that Sony is asserting against each accused product. Vizio further

1 objects to this RFP as overly broad and unduly burdensome to the extent it seeks
2 agreements or arrangements relating to intellectual property that are not relevant to
3 the claims or defenses of any party and not reasonably likely to lead to the
4 discovery of admissible evidence. Vizio further objects to this RFP to the extent it
5 seeks information subject to attorney-client privilege, the work product doctrine, a
6 common interest privilege and/or joint defense agreement. Vizio further objects to
7 this RFP to the extent it seeks the confidential information of third parties.

8 Subject to, and without waiver of the foregoing objections, Vizio will
9 produce non-privileged, responsive and relevant documents, if any, in its
10 possession, custody or control, located after a reasonable search, but only after
11 entry of a suitable protective order and Vizio has received the consent of any third
12 parties to produce any documents containing confidential information of said third
13 parties.

14 **REQUEST FOR PRODUCTION NO. 86:**

15 All Documents that relate to the marketing, advertising, or promotion of any
16 of the Vizio Products, including but not limited to advertising materials, catalogs,
17 brochures, data sheets, promotional materials, speeches, interviews, press releases,
18 publications, trade releases, new product releases, trade notices, and web pages.

19 **RESPONSE:**

20 Vizio incorporates by reference each of its General Objections as though
21 fully set forth herein and further objects to the terms "relate to," "data sheets," and
22 "promotional materials," as vague and ambiguous in this context. Vizio further
23 objects to this RFP as overly broad and unduly burdensome as it seeks information
24 relating to every Vizio product regardless of whether Sony has ever made any
25 allegation of infringement of those products or has a reasonable basis for doing so.
26 Vizio further objects to this RFP as premature in that Sony has not yet identified
27 any accused products or the specific claims that Sony is asserting against each
28 accused product.

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, in its
3 possession, custody or control, located after a reasonable search, but only after
4 entry of a suitable protective order.

5 **REQUEST FOR PRODUCTION NO. 87:**

6 All Documents that relate to the marketing, advertising, or promotion of any
7 of the Related Vizio Products, including but not limited to advertising materials,
8 catalogs, brochures, data sheets, promotional materials, speeches, interviews, press
9 releases, publications, trade releases, new product releases, trade notices, and web
10 pages.

11 **RESPONSE:**

12 Vizio incorporates by reference each of its General Objections as though
13 fully set forth herein and further objects to the terms “relate to,” “data sheets,” and
14 “promotional materials,” as vague and ambiguous in this context. Vizio further
15 objects to this RFP as overly broad and unduly burdensome as it seeks information
16 relating to “Related Vizio Products” regardless of whether Sony has ever made any
17 allegation of infringement of those products or has a reasonable basis for doing so.
18 Vizio further objects to this RFP as premature in that Sony has not yet identified
19 any accused products or the specific claims that Sony is asserting against each
20 accused product.

21 Subject to, and without waiver of the foregoing objections, Vizio will
22 produce non-privileged, responsive and relevant documents, if any, in its
23 possession, custody or control, located after a reasonable search, but only after
24 entry of a suitable protective order.

25 **REQUEST FOR PRODUCTION NO. 88:**

26 Documents sufficient to show all of Vizio’s sales, leases, or other
27 placements, in units and dollars, for each of the Vizio Products, including the date
28 of sale, date of shipment, and name of customer with respect to each sale.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and further objects to the terms "leases," "other placements,"
4 "customer" and "each sale" as vague and ambiguous in this context. Vizio further
5 objects to this RFP as overly broad and unduly burdensome as it seeks information
6 relating to every Vizio product regardless of whether Sony has ever made any
7 allegation of infringement of those products or has a reasonable basis for doing so.
8 Vizio further objects to this RFP as premature in that Sony has not yet identified
9 any accused products or the specific claims that Sony is asserting against each
10 accused product.

11 Subject to, and without waiver of the foregoing objections, Vizio will
12 produce non-privileged, responsive and relevant documents, if any, in its
13 possession, custody or control, located after a reasonable search, but only after
14 entry of a suitable protective order.

15 **REQUEST FOR PRODUCTION NO. 89:**

16 All Documents that relate to any analysis of Vizio's actual or projected gross
17 profits, net profits, gross profit margins, and net profit margins, relating to any of
18 the Vizio Products.

19 **RESPONSE:**

20 Vizio incorporates by reference each of its General Objections as though
21 fully set forth herein and further objects to the terms "relate to," "gross profits,"
22 "net profits," "gross profit margins," and "net profit margins," as vague and
23 ambiguous in this context. Vizio further objects to this RFP as overly broad and
24 unduly burdensome as it seeks information relating to every Vizio product
25 regardless of whether Sony has ever made any allegation of infringement of those
26 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
27 premature in that Sony has not yet identified any accused products or the specific
28 claims that Sony is asserting against each accused product.

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, in its
3 possession, custody or control, located after a reasonable search, but only after
4 entry of a suitable protective order.

5 **REQUEST FOR PRODUCTION NO. 90:**

6 All Documents that relate to any product reviews, comparisons, or usability
7 tests or evaluations of any of the Vizio Products.

8 **RESPONSE:**

9 Vizio incorporates by reference each of its General Objections as though
10 fully set forth herein and further objects to the terms “relate to,” “usability tests”
11 and “evaluations” as vague and ambiguous in this context. Vizio further objects to
12 this RFP as overly broad and unduly burdensome as it seeks information relating to
13 every Vizio product regardless of whether Sony has ever made any allegation of
14 infringement of those products or has a reasonable basis for doing so. Vizio further
15 objects to this RFP as premature in that Sony has not yet identified any accused
16 products or the specific claims that Sony is asserting against each accused product.
17 Vizio further object to this RFP as overly broad and unduly burdensome to the
18 extent it seeks information that is not relevant to the claim or defense of any party
19 nor reasonably calculated to lead to the discovery of admissible evidence.

20 Subject to, and without waiver of the foregoing objections, Vizio will
21 produce non-privileged, responsive and relevant documents, if any, in its
22 possession, custody or control, located after a reasonable search, but only after
23 entry of a suitable protective order.

24 **REQUEST FOR PRODUCTION NO. 91:**

25 All Documents that relate to any plans, proposals, or decisions to improve,
26 downgrade, or otherwise change any features or functionality of any of the Vizio
27 Products.
28

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and further objects to the terms "relate to," "plans," "decisions
4 to improve" and "otherwise change" as vague and ambiguous in this context. Vizio
5 further objects to this RFP to the extent it seeks information subject to attorney-
6 client privilege, the work product doctrine, a common interest privilege and/or joint
7 defense agreement. Vizio further objects to this RFP as overly broad and unduly
8 burdensome as it seeks information relating to every Vizio product regardless of
9 whether Sony has ever made any allegation of infringement of those products or has
10 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
11 that Sony has not yet identified any accused products or the specific claims that
12 Sony is asserting against each accused product. Vizio further objects to this RFP to
13 the extent it seeks the confidential information of a third party. Vizio further
14 objects to this RFP as overly broad and unduly burdensome to the extent it seeks
15 information on "any" features or functionality and, therefore, calls for information
16 not relevant to the claim or defense of any party nor reasonably likely to lead to the
17 discovery of admissible evidence.

18 Subject to, and without waiver of the foregoing objections, Vizio will
19 produce non-privileged, responsive and relevant documents, if any, in its
20 possession, custody or control, located after a reasonable search, but only after
21 entry of a suitable protective order and Vizio has received the consent of any third
22 parties to produce any documents containing confidential information of said third
23 parties.

24 **REQUEST FOR PRODUCTION NO. 92:**

25 All Documents that relate to any studies, surveys, investigations, reports,
26 considerations of, analyses of, or any plans or proposed plans for, beginning,
27 expanding, decreasing, continuing, or discontinuing research, development, testing,
28 production, or sales as to any of the Vizio Products.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and further objects to the terms “relate to” and “considerations
4 of” as vague and ambiguous in this context. Vizio further objects to this RFP to the
5 extent it seeks information subject to attorney-client privilege, the work product
6 doctrine, a common interest privilege and/or joint defense agreement. Vizio further
7 objects to this RFP as overly broad and unduly burdensome as it seeks information
8 relating to every Vizio product regardless of whether Sony has ever made any
9 allegation of infringement of those products or has a reasonable basis for doing so.
10 Vizio further objects to this RFP as premature in that Sony has not yet identified
11 any accused products or the specific claims that Sony is asserting against each
12 accused product. Vizio further objects to this RFP to the extent it seeks the
13 confidential information of a third party.

14 Subject to, and without waiver of the foregoing objections, Vizio will
15 produce non-privileged, responsive and relevant documents, if any, in its
16 possession, custody or control, located after a reasonable search, but only after
17 entry of a suitable protective order and Vizio has received the consent of any third
18 parties to produce any documents containing confidential information of said third
19 parties.

20 **REQUEST FOR PRODUCTION NO. 93:**

21 All Documents that you have provided to or received from any person who
22 may testify at trial or at any hearing in this action.

23 **RESPONSE:**

24 Vizio incorporates by reference each of its General Objections as though
25 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
26 burdensome as it seeks “[a]ll [d]ocuments,” regardless of whether they relate to the
27 present action or are relevant to the claim or defense of any party. Vizio further
28 objects to this RFP as premature to the extent it seeks information that will be the

1 subject of expert reports. Vizio further objects to this RFP as premature to the
2 extent it seeks information in contravention of the Court's Scheduling Orders.
3 Vizio further objects to this RFP to the extent it seeks information subject to
4 attorney-client privilege, the work product doctrine, a common interest privilege
5 and/or joint defense agreement.

6 Subject to, and without waiver of the foregoing objections, Vizio will
7 produce non-privileged, responsive and relevant documents, if any, in its
8 possession, custody or control, located after a reasonable search, but only after
9 entry of a suitable protective order.

10 **REQUEST FOR PRODUCTION NO. 94:**

11 All Documents created or provided to any expert retained to testify in this
12 case, and all transcripts of prior testimony (whether at deposition, trial, declaration,
13 or affidavit) by the retained expert.

14 **RESPONSE:**

15 Vizio incorporates by reference each of its General Objections as though
16 fully set forth herein and further objects to the term "created" as vague and
17 ambiguous in this context. Vizio further objects to this RFP as overly broad and
18 unduly burdensome as it seeks "[a]ll [d]ocuments," regardless of whether they
19 relate to the present action or are relevant to the claim or defense of any party.
20 Vizio further objects to this RFP as premature to the extent it seeks information that
21 will be the subject of expert reports. Vizio further objects to this RFP as premature
22 to the extent it seeks information in contravention of the Court's Scheduling
23 Orders. Vizio further objects to this RFP to the extent it seeks information that is as
24 easily available to Sony as to Vizio. Vizio further objects to this RFP to the extent
25 it seeks documents not within Vizio's possession, custody or control.

26 Subject to, and without waiver of the foregoing objections, Vizio will
27 produce non-privileged, responsive and relevant documents, after entry of a suitable
28

1 protective order, in accordance with the Court's Scheduling Orders and all
2 applicable local and federal rules.

3 **REQUEST FOR PRODUCTION NO. 95:**

4 All Communications between Vizio and any expert retained to testify in this
5 action.

6 **RESPONSE:**

7 Vizio incorporates by reference each of its General Objections as though
8 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
9 burdensome as it seeks "[a]ll [c]ommunications," regardless of whether they relate
10 to the present action or are relevant to the claim or defense of any party. Vizio
11 further objects to this RFP as premature to the extent it seeks information that will
12 be the subject of expert reports. Vizio further objects to this RFP as premature to
13 the extent it seeks information in contravention of the Court's Scheduling Orders.

14 Subject to, and without waiver of the foregoing objections, Vizio will
15 produce non-privileged, responsive and relevant documents, after entry of a suitable
16 protective order, in accordance with the Court's Scheduling Orders and all
17 applicable local and federal rules.

18 **REQUEST FOR PRODUCTION NO. 96:**

19 All Communications between Vizio and any witness that is expected to
20 testify in this action.

21 **RESPONSE:**

22 Vizio incorporates by reference each of its General Objections as though
23 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
24 burdensome as it seeks "[a]ll [c]ommunications," regardless of whether they relate
25 to the present action or are relevant to the claim or defense of any party. Vizio
26 further objects to this RFP to the extent it seeks information protected from
27 disclosure by the attorney-client privilege and/or work product doctrine.
28

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, after entry of a
3 suitable protective order, in accordance with the Court's Scheduling Orders and all
4 applicable local and federal rules.

5 **REQUEST FOR PRODUCTION NO. 97:**

6 All Documents identified in Vizio's Rule 26 disclosures.

7 **RESPONSE:**

8 Vizio incorporates by reference each of its General Objections as though
9 fully set forth herein. Vizio further objects to this RFP as premature in that Sony
10 has not yet identified any accused products or the specific claims that Sony is
11 asserting against each accused product.

12 Subject to, and without waiver of the foregoing objections, Vizio will
13 produce non-privileged, responsive and relevant documents, if any, in its
14 possession, custody or control, located after a reasonable search, but only after
15 entry of a suitable protective order.

16 **REQUEST FOR PRODUCTION NO. 98:**

17 All Documents that Vizio relies on or intends to rely on for any of its
18 Affirmative Defenses.

19 **RESPONSE:**

20 Vizio incorporates by reference each of its General Objections as though
21 fully set forth herein. Vizio further objects to this RFP as premature in that Sony
22 has not yet identified any accused products or the specific claims that Sony is
23 asserting against each accused product. Vizio further objects to this RFP as
24 premature to the extent it seeks information that will be the subject of expert
25 reports. Vizio further objects to this RFP as premature to the extent it seeks
26 information in contravention of the Court's Scheduling Orders.

27 Subject to, and without waiver of the foregoing objections, Vizio will
28 produce non-privileged, responsive and relevant documents, if any, in its

1 possession, custody or control, located after a reasonable search, but only after
2 entry of a suitable protective order, in accordance with the Court's Scheduling
3 Orders and all applicable local and federal rules.

4 **REQUEST FOR PRODUCTION NO. 99:**

5 All Documents that Vizio may use or will use at any trial or at any hearing in
6 this matter.

7 **RESPONSE:**

8 Vizio incorporates by reference each of its General Objections as though
9 fully set forth herein. Vizio further objects to this RFP as premature in that Sony
10 has not yet identified any accused products or the specific claims that Sony is
11 asserting against each accused product. Vizio further objects to this RFP as
12 premature to the extent it seeks information that will be the subject of expert
13 reports. Vizio further objects to this RFP as premature to the extent it seeks
14 information in contravention of the Court's Scheduling Orders.

15 Subject to, and without waiver of the foregoing objections, Vizio will
16 produce non-privileged, responsive and relevant documents in its possession,
17 custody or control, located after a reasonable search, after entry of a suitable
18 protective order, at a time required under the Court's Scheduling Orders and the
19 applicable local and federal rules.

20 **REQUEST FOR PRODUCTION NO. 100:**

21 All Documents identified, mentioned, referenced, reviewed, or relied upon in
22 the preparation of Vizio's answers to Sony's Interrogatories in this action.

23 **RESPONSE:**

24 Vizio incorporates by reference each of its General Objections as though
25 fully set forth herein. Vizio further objects to this RFP as overly broad and unduly
26 burdensome to the extent it seeks information not relevant to the claims or defenses
27 of any party.
28

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, in its
3 possession, custody or control, located after a reasonable search, but only after
4 entry of a suitable protective order.

5 **REQUEST FOR PRODUCTION NO. 101:**

6 All Licenses, whether Vizio is the licensor or licensee, relating to any of the
7 Vizio Products, including but not limited to licenses relating to the technologies
8 claimed or disclosed by the patents-in-suit.

9 **RESPONSE:**

10 Vizio incorporates by reference each of its General Objections as though
11 fully set forth herein and further objects to the term “relating to the technologies
12 claimed or disclosed” as vague and ambiguous in this context. Vizio further objects
13 to this RFP as overly broad, unduly burdensome and not reasonably calculated to
14 lead to the discovery of admissible evidence in that it calls for “[a]ll [l]icenses”
15 relating to Vizio Products and, therefore, seeks information regarding all licenses
16 ever entered into by Vizio without limitation. Vizio further objects to this RFP as
17 overly broad and unduly burdensome as it seeks information relating to every Vizio
18 product regardless of whether Sony has ever made any allegation of infringement of
19 those products or has a reasonable basis for doing so. Vizio further objects to this
20 RFP as premature in that Sony has not yet identified any accused products or the
21 specific claims that Sony is asserting against each accused product. Vizio further
22 objects to this RFP to the extent it seeks confidential information of any third party.

23 Subject to, and without waiver of the foregoing objections, Vizio will
24 produce non-privileged, responsive and relevant documents, if any, in its
25 possession, custody or control, located after a reasonable search, but only after
26 entry of a suitable protective order and Vizio has received the consent of any third
27 parties to produce any documents containing confidential information of said third
28 parties.

1 **REQUEST FOR PRODUCTION NO. 102:**

2 All Documents and Communications relating to any license relating to any of
3 the Vizio Products.

4 **RESPONSE:**

5 Vizio incorporates by reference each of its General Objections as though
6 fully set forth herein. Vizio further objects to this RFP as overly broad, unduly
7 burdensome and not reasonably calculated to lead to the discovery of admissible
8 evidence in that it calls for “[a]ll Documents and Communications relating to any
9 license relating to any of the Vizio Products” and, therefore, seeks to obtain
10 information regarding every license ever entered into by Vizio without limitation.
11 Vizio further objects to this RFP as overly broad and unduly burdensome as it seeks
12 information relating to every Vizio product regardless of whether Sony has ever
13 made any allegation of infringement of those products or has a reasonable basis for
14 doing so. Vizio further objects to this RFP as premature in that Sony has not yet
15 identified any accused products or the specific claims that Sony is asserting against
16 each accused product. Vizio further objects to this RFP to the extent it seeks
17 information protected by attorney-client privilege and/or the work product doctrine.
18 Vizio further objects to this RFP to the extent it seeks confidential information of
19 any third party.

20 Subject to, and without waiver of the foregoing objections, Vizio will
21 produce non-privileged, responsive and relevant documents, if any, in its
22 possession, custody or control, located after a reasonable search, but only after
23 entry of a suitable protective order and Vizio has received the consent of any third
24 parties to produce any documents containing confidential information of said third
25 parties.

1 **REQUEST FOR PRODUCTION NO. 103:**

2 All settlement agreements relating to any of the Vizio Products, including but
3 not limited to, settlement agreements relating to the technologies claimed or
4 disclosed by the patents-in-suit.

5 **RESPONSE:**

6 Vizio incorporates by reference each of its General Objections as though
7 fully set forth herein and further objects to the term “technologies claimed or
8 disclosed” as vague and ambiguous in this context. Vizio further objects to this
9 RFP as overly broad, unduly burdensome and not reasonably calculated to lead to
10 the discovery of admissible evidence as it seeks information relating to every Vizio
11 product and every settlement agreement relating to those products and, therefore,
12 seeks information regarding all settlement agreements ever entered into by Vizio
13 without limitation. Vizio further objects to this RFP as premature in that Sony has
14 not yet identified any accused products or the specific claims that Sony is asserting
15 against each accused product. Vizio further objects to this RFP to the extent it
16 seeks the confidential information of a third party.

17 Subject to, and without waiver of the foregoing objections, Vizio will
18 produce non-privileged, responsive and relevant documents, if any, in its
19 possession, custody or control, located after a reasonable search, but only after
20 entry of a suitable protective order and Vizio has received the consent of any third
21 parties to produce any documents containing confidential information of said third
22 parties.

23 **REQUEST FOR PRODUCTION NO. 104:**

24 All Documents and Communications relating to any settlement agreement
25 relating to any of the Vizio Products.

26 **RESPONSE:**

27 Vizio incorporates by reference each of its General Objections as though
28 fully set forth herein. Vizio further objects to this RFP as overly broad, unduly

1 burdensome and not reasonably calculated to lead to the discovery of admissible
2 evidence as it seeks “[a]ll Documents and Communications relating to any
3 settlement agreement relating to any of the Vizio Products” and, therefore, seeks
4 information regarding every settlement agreement ever entered into by Vizio
5 without limitation. Vizio further objects to this RFP as premature in that Sony has
6 not yet identified any accused products or the specific claims that Sony is asserting
7 against each accused product. Vizio further objects to this RFP to the extent it
8 seeks the confidential information of a third party. Vizio further objects to this RFP
9 to the extent it seeks information protected from disclosure by attorney-client
10 privilege and/or the work product doctrine.

11 Subject to, and without waiver of the foregoing objections, Vizio will
12 produce non-privileged, responsive and relevant documents, if any, in its
13 possession, custody or control, located after a reasonable search, but only after
14 entry of a suitable protective order and Vizio has received the consent of any third
15 parties to produce any documents containing confidential information of said third
16 parties.

17 **REQUEST FOR PRODUCTION NO. 105:**

18 All Documents and Communications relating to any patent infringement
19 claim or action, whether or not such claim or action has been filed before a court of
20 law, that concerns any of the Vizio Products.

21 **RESPONSE:**

22 Vizio incorporates by reference each of its General Objections as though
23 fully set forth herein. Vizio further objects to this RFP as overly broad, unduly
24 burdensome and not reasonably calculated to lead to the discovery of admissible
25 evidence to the extent it seeks information not related to the present action and
26 unrelated to the claims or defenses of any party. Vizio further objects to this RFP
27 as overly broad and unduly burdensome as it seeks information relating to every
28 Vizio product regardless of whether Sony has ever made any allegation of

1 infringement of those products or has a reasonable basis for doing so. Vizio further
2 objects to this RFP as premature in that Sony has not yet identified any accused
3 products or the specific claims that Sony is asserting against each accused product.
4 Vizio further objects to this RFP to the extent it seeks the confidential information
5 of a third party. Vizio further objects to this RFP to the extent it seeks information
6 protected from disclosure by the attorney-client privilege and/or work product
7 doctrine.

8 **REQUEST FOR PRODUCTION NO. 106:**

9 A fully operational exemplar of any device, machine, apparatus, or other
10 thing that Vizio contends is prior art to any claim of any of the Patents-in-suit.

11 **RESPONSE:**

12 Vizio incorporates by reference each of its General Objections as though
13 fully set forth herein and further objects to the terms “exemplar” and “other thing”
14 as vague and ambiguous in this context. Vizio further objects to this RFP to the
15 extent it seeks samples of devices that are not within the possession, custody or
16 control of Vizio, or which may be obtained by Sony as easily as by Vizio.

17 **REQUEST FOR PRODUCTION NO. 107:**

18 All Documents relating to the distribution within, import to, or export from
19 the United States of the Vizio Products.

20 **RESPONSE:**

21 Vizio incorporates by reference each of its General Objections as though
22 fully set forth herein. Vizio further objects to this RFP to the extent it seeks
23 information that is not relevant to the claims or defenses of any party. Vizio further
24 objects to this RFP as overly broad, unduly burdensome and not reasonably
25 calculated to lead to the discovery of admissible evidence as it seeks information
26 relating to every Vizio product regardless of whether Sony has ever made any
27 allegation of infringement of those products or has a reasonable basis for doing so.
28 Vizio further objects to this RFP as premature in that Sony has not yet identified

1 any accused products or the specific claims that Sony is asserting against each
2 accused product.

3 Subject to, and without waiver of the foregoing objections, Vizio will
4 produce non-privileged, responsive and relevant documents, if any, in its
5 possession, custody or control, located after a reasonable search, but only after
6 entry of a suitable protective order.

7 **REQUEST FOR PRODUCTION NO. 108:**

8 All Documents relating to any analysis of Vizio's actual or projected gross
9 profits, net profits, gross profit margins, and net profit margins in the United States
10 relating to each Vizio Product.

11 **RESPONSE:**

12 Vizio incorporates by reference each of its General Objections as though
13 fully set forth herein and further objects to "gross profits," "net profits," "gross
14 profit margins," and "net profit margins," as vague and ambiguous in this context.
15 Vizio further objects to this RFP as overly broad and unduly burdensome as it seeks
16 information relating to every Vizio product regardless of whether Sony has ever
17 made any allegation of infringement of those products or has a reasonable basis for
18 doing so. Vizio further objects to this RFP as premature in that Sony has not yet
19 identified any accused products or the specific claims that Sony is asserting against
20 each accused product.

21 Subject to, and without waiver of the foregoing objections, Vizio will
22 produce non-privileged, responsive and relevant documents, if any, in its
23 possession, custody or control, located after a reasonable search, but only after
24 entry of a suitable protective order.

25 **REQUEST FOR PRODUCTION NO. 109:**

26 All Documents relating to business plans and projections, sales forecasts, or
27 other business planning relating to the Vizio Products.
28

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein and further objects to the terms “business plans and
4 projections,” and “other business planning” as vague and ambiguous in this context.
5 Vizio further objects to this RFP to the extent it seeks information that is not
6 relevant to the claims or defenses of any party. Vizio further objects to this RFP as
7 overly broad and unduly burdensome as it seeks information relating to every Vizio
8 product regardless of whether Sony has ever made any allegation of infringement of
9 those products or has a reasonable basis for doing so. Vizio further objects to this
10 RFP as premature in that Sony has not yet identified any accused products or the
11 specific claims that Sony is asserting against each accused product.

12 Subject to, and without waiver of the foregoing objections, Vizio will
13 produce non-privileged, responsive and relevant documents, if any, in its
14 possession, custody or control, located after a reasonable search, but only after
15 entry of a suitable protective order.

16 **REQUEST FOR PRODUCTION NO. 110:**

17 Documents sufficient to show the efforts taken by Vizio to sell other products
18 or services together, or in connection, with the Vizio Products or to effect the sale
19 thereof by third parties, including, but not limited to, distributors and retailers.

20 **RESPONSE:**

21 Vizio incorporates by reference each of its General Objections as though
22 fully set forth herein and further objects to the terms “other products or services,”
23 “in connection” and “effect the sale” as vague and ambiguous in this context. Vizio
24 further objects to this RFP to the extent it seeks information not relevant to the
25 claims or defenses of any party. Vizio further objects to this RFP as overly broad
26 and unduly burdensome as it seeks information relating to every Vizio product
27 regardless of whether Sony has ever made any allegation of infringement of those
28 products or has a reasonable basis for doing so. Vizio further objects to this RFP as

1 premature in that Sony has not yet identified any accused products or the specific
2 claims that Sony is asserting against each accused product. Vizio further objects to
3 this RFP to the extent it seeks information not within Vizio's possession, custody or
4 control.

5 Subject to, and without waiver of the foregoing objections, Vizio will
6 produce non-privileged, responsive and relevant documents, if any, in its
7 possession, custody or control, located after a reasonable search, but only after
8 entry of a suitable protective order and Vizio has received the consent of any third
9 parties to produce any documents containing confidential information of said third
10 parties.

11 **REQUEST FOR PRODUCTION NO. 111:**

12 Documents sufficient to show the terms of any extended service plan and/or
13 warranty sold together or in connection with the Vizio Products.

14 **RESPONSE:**

15 Vizio incorporates by reference each of its General Objections as though
16 fully set forth herein. Vizio further objects to this RFP to the extent it seeks
17 information not relevant to the claims or defenses of any party. Vizio further
18 objects to this RFP as overly broad and unduly burdensome as it seeks information
19 relating to every Vizio product regardless of whether Sony has ever made any
20 allegation of infringement of those products or has a reasonable basis for doing so.
21 Vizio further objects to this RFP as premature in that Sony has not yet identified
22 any accused products or the specific claims that Sony is asserting against each
23 accused product. Vizio further objects to this RFP to the extent it seeks information
24 not within Vizio's possession, custody or control.

25 Subject to, and without waiver of the foregoing objections, Vizio will
26 produce non-privileged, responsive and relevant documents, if any, in its
27 possession, custody or control, located after a reasonable search, but only after
28 entry of a suitable protective order.

1 **REQUEST FOR PRODUCTION NO. 112:**

2 Documents sufficient to show for each Vizio Product, any other products or
3 services sold together, or in connection, with that product and the revenue
4 generated thereby.

5 **RESPONSE:**

6 Vizio incorporates by reference each of its General Objections as though
7 fully set forth herein and Vizio further objects to the terms “any other products or
8 services sold together” and “in connection” as vague and ambiguous in this context.
9 Vizio further objects to this RFP to the extent it seeks information not relevant to
10 the claims or defenses of any party. Vizio further objects to this RFP as overly
11 broad and unduly burdensome as it seeks information relating to every Vizio
12 product regardless of whether Sony has ever made any allegation of infringement of
13 those products or has a reasonable basis for doing so. Vizio further objects to this
14 RFP as premature in that Sony has not yet identified any accused products or the
15 specific claims that Sony is asserting against each accused product. Vizio further
16 objects to this RFP to the extent it seeks information not within Vizio’s possession,
17 custody or control.

18 Subject to, and without waiver of the foregoing objections, Vizio will
19 produce non-privileged, responsive and relevant documents, if any, in its
20 possession, custody or control, located after a reasonable search, but only after
21 entry of a suitable protective order.

22 **REQUEST FOR PRODUCTION NO. 113:**

23 Documents sufficient to show for each Vizio Product any extended service
24 plan and/or warranty sold together or in connection with that product and the
25 revenue generated thereby.

26 **RESPONSE:**

27 Vizio incorporates by reference each of its General Objections as though
28 fully set forth herein. Vizio further objects to this RFP to the extent it seeks

1 information not relevant to the claims or defenses of any party. Vizio further
2 objects to this RFP as overly broad and unduly burdensome as it seeks information
3 relating to every Vizio product regardless of whether Sony has ever made any
4 allegation of infringement of those products or has a reasonable basis for doing so.
5 Vizio further objects to this RFP as premature in that Sony has not yet identified
6 any accused products or the specific claims that Sony is asserting against each
7 accused product. Vizio further objects to this RFP to the extent it seeks information
8 not within Vizio's possession, custody or control.

9 Subject to, and without waiver of the foregoing objections, Vizio will
10 produce non-privileged, responsive and relevant documents, if any, in its
11 possession, custody or control, located after a reasonable search, but only after
12 entry of a suitable protective order.

13 **REQUEST FOR PRODUCTION NO. 114:**

14 All Documents that relate to the technology claimed or disclosed in the '468
15 patent, including, without limitation, all Documents relating to the video processing
16 and transmission functionality of the Vizio Products.

17 **RESPONSE:**

18 Vizio incorporates by reference each of its General Objections as though
19 fully set forth herein and further objects to the terms "relate to," "technology
20 claimed or disclosed," "video processing," and "transmission functionality" as
21 vague and ambiguous in this context. Vizio further objects to this RFP as overly
22 broad and unduly burdensome as it seeks information relating to every Vizio
23 product regardless of whether Sony has ever made any allegation of infringement of
24 those products or has a reasonable basis for doing so. Vizio further objects to this
25 RFP as premature in that Sony has not yet identified any accused products or the
26 specific claims that Sony is asserting against each accused product.

27 Subject to, and without waiver of the foregoing objections, Vizio will
28 produce non-privileged, responsive and relevant documents, if any, in its

1 possession, custody or control, located after a reasonable search, but only after
2 entry of a suitable protective order.

3 **REQUEST FOR PRODUCTION NO. 115:**

4 All Documents that relate to the technology claimed or disclosed in the '182
5 patent, including, without limitation, all Documents relating to the Vizio Products'
6 use, correction, or adjustment of gamma luminance or color difference.

7 **RESPONSE:**

8 Vizio incorporates by reference each of its General Objections as though
9 fully set forth herein and further objects to the terms "relate to," "technology
10 claimed or disclosed," "gamma luminance" and "color difference" as vague and
11 ambiguous in this context. Vizio further objects to this RFP as overly broad and
12 unduly burdensome as it seeks information relating to every Vizio product
13 regardless of whether Sony has ever made any allegation of infringement of those
14 products or has a reasonable basis for doing so. Vizio further objects to this RFP as
15 premature in that Sony has not yet identified any accused products or the specific
16 claims that Sony is asserting against each accused product.

17 Subject to, and without waiver of the foregoing objections, Vizio will
18 produce non-privileged, responsive and relevant documents, if any, in its
19 possession, custody or control, located after a reasonable search, but only after
20 entry of a suitable protective order.

21 **REQUEST FOR PRODUCTION NO. 116:**

22 All Documents that relate to the technology claimed or disclosed in the '626
23 patent, including, without limitation, all Documents relating to the menu display
24 and/or picture-in-picture functionality of the Vizio Products.

25 **RESPONSE:**

26 Vizio incorporates by reference each of its General Objections as though
27 fully set forth herein and further objects to the terms "relate to," "technology
28 claimed or disclosed," "menu display," and "picture-in-picture functionality" as

1 vague and ambiguous in this context. Vizio further objects to this RFP as overly
2 broad and unduly burdensome as it seeks information relating to every Vizio
3 product regardless of whether Sony has ever made any allegation of infringement of
4 those products or has a reasonable basis for doing so. Vizio further objects to this
5 RFP as premature in that Sony has not yet identified any accused products or the
6 specific claims that Sony is asserting against each accused product.

7 Subject to, and without waiver of the foregoing objections, Vizio will
8 produce non-privileged, responsive and relevant documents, if any, in its
9 possession, custody or control, located after a reasonable search, but only after
10 entry of a suitable protective order.

11 **REQUEST FOR PRODUCTION NO. 117:**

12 All Documents that relate to the technology claimed or disclosed in the '577
13 patent, including, without limitation, all Documents relating to the close caption
14 functionality of the Vizio Products.

15 **RESPONSE:**

16 Vizio incorporates by reference each of its General Objections as though
17 fully set forth herein and further objects to the terms "relate to," "technology
18 claimed or disclosed" and "close caption functionality" as vague and ambiguous in
19 this context. Vizio further objects to this RFP as overly broad and unduly
20 burdensome as it seeks information relating to every Vizio product regardless of
21 whether Sony has ever made any allegation of infringement of those products or has
22 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
23 that Sony has not yet identified any accused products or the specific claims that
24 Sony is asserting against each accused product.

25 Subject to, and without waiver of the foregoing objections, Vizio will
26 produce non-privileged, responsive and relevant documents, if any, in its
27 possession, custody or control, located after a reasonable search, but only after
28 entry of a suitable protective order.

1 **REQUEST FOR PRODUCTION NO. 118:**

2 All Documents that relate to the technology claimed or disclosed in the '542
3 patent, including, without limitation, all Documents relating to the subtitle display
4 functionality of the Vizio Products.

5 **RESPONSE:**

6 Vizio incorporates by reference each of its General Objections as though
7 fully set forth herein and further objects to the terms "relate to," "technology
8 claimed or disclosed" and "subtitle display functionality" as vague and ambiguous
9 in this context. Vizio further objects to this RFP as overly broad and unduly
10 burdensome as it seeks information relating to every Vizio product regardless of
11 whether Sony has ever made any allegation of infringement of those products or has
12 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
13 that Sony has not yet identified any accused products or the specific claims that
14 Sony is asserting against each accused product.

15 Subject to, and without waiver of the foregoing objections, Vizio will
16 produce non-privileged, responsive and relevant documents, if any, in its
17 possession, custody or control, located after a reasonable search, but only after
18 entry of a suitable protective order.

19 **REQUEST FOR PRODUCTION NO. 119:**

20 All Documents that relate to the technology claimed or disclosed in the '847
21 patent, including, without limitation, all Documents relating to the subtitle display
22 functionality of the Vizio Products.

23 **RESPONSE:**

24 Vizio incorporates by reference each of its General Objections as though
25 fully set forth herein and further objects to the terms "relate to," "technology
26 claimed or disclosed" and "subtitle display technology" as vague and ambiguous in
27 this context. Vizio further objects to this RFP as overly broad and unduly
28 burdensome as it seeks information relating to every Vizio product regardless of

1 whether Sony has ever made any allegation of infringement of those products or has
2 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
3 that Sony has not yet identified any accused products or the specific claims that
4 Sony is asserting against each accused product.

5 Subject to, and without waiver of the foregoing objections, Vizio will
6 produce non-privileged, responsive and relevant documents, if any, in its
7 possession, custody or control, located after a reasonable search, but only after
8 entry of a suitable protective order.

9 **REQUEST FOR PRODUCTION NO. 120:**

10 All Documents that relate to the technology claimed or disclosed in the '373
11 patent, including, without limitation, all Documents relating to the display of menu
12 items and the display and/or selection of hierarchical menus, subordinate menus,
13 and/or submenus.

14 **RESPONSE:**

15 Vizio incorporates by reference each of its General Objections as though
16 fully set forth herein and further objects to the terms "relate to," "technology
17 claimed or disclosed," "hierarchical menus," "subordinate menus and/or submenus"
18 and "menu items" as vague and ambiguous in this context. Vizio further objects to
19 this RFP as overly broad and unduly burdensome as it seeks information relating to
20 every Vizio product regardless of whether Sony has ever made any allegation of
21 infringement of those products or has a reasonable basis for doing so. Vizio further
22 objects to this RFP as premature in that Sony has not yet identified any accused
23 products or the specific claims that Sony is asserting against each accused product.

24 Subject to, and without waiver of the foregoing objections, Vizio will
25 produce non-privileged, responsive and relevant documents, if any, in its
26 possession, custody or control, located after a reasonable search, but only after
27 entry of a suitable protective order.
28

1 **REQUEST FOR PRODUCTION NO. 121:**

2 All Documents that relate to the technology claimed or disclosed in the '614
3 patent, including, without limitation, all Documents relating to the menu display
4 functionality of the Vizio Products.

5 **RESPONSE:**

6 Vizio incorporates by reference each of its General Objections as though
7 fully set forth herein and further objects to the terms "relate to," "technology
8 claimed or disclosed" and "menu display functionality" as vague and ambiguous in
9 this context. Vizio further objects to this RFP as overly broad and unduly
10 burdensome as it seeks information relating to every Vizio product regardless of
11 whether Sony has ever made any allegation of infringement of those products or has
12 a reasonable basis for doing so. Vizio further objects to this RFP as premature in
13 that Sony has not yet identified any accused products or the specific claims that
14 Sony is asserting against each accused product.

15 Subject to, and without waiver of the foregoing objections, Vizio will
16 produce non-privileged, responsive and relevant documents, if any, in its
17 possession, custody or control, located after a reasonable search, but only after
18 entry of a suitable protective order.

19 **REQUEST FOR PRODUCTION NO. 122:**

20 All Documents that relate to the technology claimed or disclosed in the '055
21 patent, including, without limitation, all Documents relating to the video processing
22 and transmission functionality of the Vizio Products.

23 **RESPONSE:**

24 Vizio incorporates by reference each of its General Objections as though
25 fully set forth herein and further objects to the terms "relate to," "technology
26 claimed or disclosed," "video processing" and "transmission functionality" as
27 vague and ambiguous in this context. Vizio further objects to this RFP as overly
28 broad and unduly burdensome as it seeks information relating to every Vizio

1 product regardless of whether Sony has ever made any allegation of infringement of
2 those products or has a reasonable basis for doing so. Vizio further objects to this
3 RFP as premature in that Sony has not yet identified any accused products or the
4 specific claims that Sony is asserting against each accused product.

5 Subject to, and without waiver of the foregoing objections, Vizio will
6 produce non-privileged, responsive and relevant documents, if any, in its
7 possession, custody or control, located after a reasonable search, but only after
8 entry of a suitable protective order.

9 **REQUEST FOR PRODUCTION NO. 123:**

10 All Documents that relate to the technology claimed or disclosed in the '472
11 patent, including, without limitation, all Documents relating to channel selection,
12 including any selection related to major and minor channel numbers.

13 **RESPONSE:**

14 Vizio incorporates by reference each of its General Objections as though
15 fully set forth herein and further objects to the terms "relate to," "technology
16 claimed or disclosed" and "channel selection" as vague and ambiguous in this
17 context. Vizio further objects to this RFP as overly broad and unduly burdensome
18 as it seeks information relating to every Vizio product regardless of whether Sony
19 has ever made any allegation of infringement of those products or has a reasonable
20 basis for doing so. Vizio further objects to this RFP as premature in that Sony has
21 not yet identified any accused products or the specific claims that Sony is asserting
22 against each accused product.

23 Subject to, and without waiver of the foregoing objections, Vizio will
24 produce non-privileged, responsive and relevant documents, if any, in its
25 possession, custody or control, located after a reasonable search, but only after
26 entry of a suitable protective order.

1 **REQUEST FOR PRODUCTION NO. 124:**

2 Documents sufficient to show the ownership structure of Vizio, including the
3 names and addresses of any owners of or investors in Vizio.

4 **RESPONSE:**

5 Vizio incorporates by reference each of its General Objections as though
6 fully set forth herein and further objects to the terms “owners” and “investors” as
7 vague and ambiguous in this context. Vizio further objects to this RFP as overly
8 broad and unduly burdensome as it seeks information that is not relevant to the
9 claims or defenses of any party nor reasonably likely to lead to the discovery of
10 admissible evidence. Vizio further objects to the extent this RFP seeks the
11 confidential information of third parties.

12 Subject to, and without waiver of the foregoing objections, Vizio will
13 produce non-privileged, responsive and relevant documents, if any, in its
14 possession, custody or control, located after a reasonable search, but only after
15 entry of a suitable protective order and Vizio has received the consent of any third
16 parties to produce any documents containing confidential information of said third
17 parties.

18 **REQUEST FOR PRODUCTION NO. 125:**

19 Documents sufficient to identify all Vizio employees who have ever received
20 confidential Sony information.

21 **RESPONSE:**

22 Vizio incorporates by reference each of its General Objections as though
23 fully set forth herein and further objects to the term “confidential Sony
24 information” as vague and ambiguous in this context. Vizio further objects to this
25 RFP as overly broad and unduly burdensome to the extent it seeks information
26 concerning employees regardless of when they might have received Sony
27 information, and without regard to whether they were employed at Vizio when they
28 received the Sony information. Vizio further objects to the RFP as overly broad

1 and unduly burdensome to the extent it seeks information that is not relevant to the
2 claims or defenses of any party nor reasonably calculated to lead to the discovery of
3 admissible evidence. Vizio further objects to this RFP to the extent it seeks
4 information not within its custody or control.

5 **REQUEST FOR PRODUCTION NO. 126:**

6 All Documents containing confidential Sony information.

7 **RESPONSE:**

8 Vizio incorporates by reference each of its General Objections as though
9 fully set forth herein and further objects to the term “confidential Sony
10 information” as vague and ambiguous in this context. Vizio further objects to this
11 RFP to the extent it seeks information not relevant to the claims or defenses of any
12 party. Vizio further objects to this RFP as overly broad and unduly burdensome as
13 it seeks information not within the possession, custody or control of Vizio.

14 **REQUEST FOR PRODUCTION NO. 127:**

15 All Documents reflecting any testing of the Vizio Products by or on behalf of
16 Vizio.

17 **RESPONSE:**

18 Vizio incorporates by reference each of its General Objections as though
19 fully set forth herein and further objects to the term “reflecting” as vague and
20 ambiguous in this context. Vizio further objects to this RFP as overly broad,
21 unduly burdensome and not reasonably calculated to lead to the discovery of
22 admissible evidence in that it seeks Documents relating to testing that is not
23 relevant to this litigation. Vizio further objects to this RFP to the extent it seeks
24 information subject to attorney-client privilege, the work product doctrine, a
25 common interest privilege and/or joint defense agreement. Vizio further objects to
26 this RFP as overly broad and unduly burdensome as it seeks information relating to
27 every Vizio product regardless of whether Sony has ever made any allegation of
28 infringement of those products or has a reasonable basis for doing so. Vizio further

1 objects to this RFP as premature in that Sony has not yet identified any accused
2 products or the specific claims that Sony is asserting against each accused product.
3 Vizio further objects to this RFP to the extent it seeks the confidential information
4 of a third party.

5 Subject to, and without waiver of the foregoing objections, Vizio will
6 produce non-privileged, responsive and relevant documents, if any, in its
7 possession, custody or control, located after a reasonable search, but only after
8 entry of a suitable protective order and Vizio has received the consent of any third
9 parties to produce any documents containing confidential information of said third
10 parties.

11 **REQUEST FOR PRODUCTION NO. 128:**

12 All Documents reflecting any test protocols for testing of the Vizio Products
13 by or on behalf of Vizio.

14 **RESPONSE:**

15 Vizio incorporates by reference each of its General Objections as though
16 fully set forth herein and further objects to the terms “reflecting” and “test
17 protocols” as vague and ambiguous in this context. Vizio further objects to this
18 RFP as overly broad, unduly burdensome and not reasonably calculated to lead to
19 the discovery of admissible evidence in that it seeks Documents relating to “test
20 protocols” that are not relevant to this litigation. Vizio further objects to this RFP
21 as overly broad and unduly burdensome as it seeks information relating to every
22 Vizio product regardless of whether Sony has ever made any allegation of
23 infringement of those products or has a reasonable basis for doing so. Vizio further
24 objects to this RFP as premature in that Sony has not yet identified any accused
25 products or the specific claims that Sony is asserting against each accused product.
26 Vizio further objects to this RFP to the extent it seeks the confidential information
27 of a third party.
28

1 Subject to, and without waiver of the foregoing objections, Vizio will
2 produce non-privileged, responsive and relevant documents, if any, in its
3 possession, custody or control, located after a reasonable search, but only after
4 entry of a suitable protective order and Vizio has received the consent of any third
5 parties to produce any documents containing confidential information of said third
6 parties.

7 **REQUEST FOR PRODUCTION NO. 129:**

8 All Documents relating to Vizio's participation in any industry groups or
9 associations, including standard-setting organizations.

10 **RESPONSE:**

11 Vizio incorporates by reference each of its General Objections as though
12 fully set forth herein and further objects to the terms "participation" and "industry
13 groups or associations" as vague and ambiguous in this context. Vizio further
14 objects to this RFP as overly broad and unduly burdensome as it seeks information
15 that is not relevant to the claims or defenses of any party.

16 Subject to, and without waiver of the foregoing objections, Vizio will
17 produce non-privileged, responsive and relevant documents, if any, in its
18 possession, custody or control, located after a reasonable search, but only after
19 entry of a suitable protective order.

20 **REQUEST FOR PRODUCTION NO. 130:**

21 All Documents relating to Sony's participation in any industry groups or
22 associations, including standard-setting organizations.

23 **RESPONSE:**

24 Vizio incorporates by reference each of its General Objections as though
25 fully set forth herein and further objects to the terms "participation" and "industry
26 groups or associations" as vague and ambiguous in this context. Vizio further
27 objects to this RFP as overly broad and unduly burdensome as it seeks information
28 not relevant to the claims or defenses of any party. Vizio further objects to this

1 RFP to the extent it calls for information more easily ascertainable by Sony and not
2 within Vizio's possession, custody or control.

3 Subject to, and without waiver of the foregoing objections, Vizio will
4 produce non-privileged, responsive and relevant documents, if any, in its
5 possession, custody or control, located after a reasonable search, but only after
6 entry of a suitable protective order.

7 **REQUEST FOR PRODUCTION NO. 131:**

8 All Documents relating to any obligations owed by Vizio and/or Sony to any
9 industry groups or associations, including standard-setting organizations, and/or
10 their members.

11 **RESPONSE:**

12 Vizio incorporates by reference each of its General Objections as though
13 fully set forth herein and further objects to the terms "obligations" and "industry
14 groups or associations" as vague and ambiguous in this context. Vizio further
15 objects to this RFP as overly broad and unduly burdensome to the extent it seeks
16 information that is not relevant to the claims or defenses of any party. Vizio further
17 objects to this RFP as overly broad and unduly burdensome as it seeks information
18 more easily ascertained by Sony. Vizio further objects to this RFP to the extent it
19 seeks information not within Vizio's possession, custody or control.

20 Subject to, and without waiver of the foregoing objections, Vizio will
21 produce non-privileged, responsive and relevant documents, if any, in its
22 possession, custody or control, located after a reasonable search, but only after
23 entry of a suitable protective order.

24 **REQUEST FOR PRODUCTION NO. 132:**

25 All Documents that support Vizio's contention that Sony is barred from
26 recovering damages under 35 U.S.C. § 287.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein. Vizio further objects to this RFP to the extent it seeks
4 information not within Vizio's possession, custody or control. Vizio further objects
5 to this RFP as premature to the extent it calls for information that will be the subject
6 of expert reports. Vizio further objects to this RFP as premature to the extent it
7 requests information from Vizio in contravention of the Court's Scheduling Orders.

8 Subject to, and without waiver of the foregoing objections, Vizio will
9 produce non-privileged, responsive and relevant documents, if any, in its
10 possession, custody or control, located after a reasonable search, but only after
11 entry of a suitable protective order.

12 **REQUEST FOR PRODUCTION NO. 133:**

13 All Documents that support Vizio's contention that one or more of the claims
14 of the patents-in-suit are invalid for failing to meet conditions for patentability set
15 forth in 35 U.S.C. §§ 101, 102, 103, and/or 112.

16 **RESPONSE:**

17 Vizio incorporates by reference each of its General Objections as though
18 fully set forth herein. Vizio further objects to this RFP as premature in that Sony
19 has not yet identified any accused products or the specific claims that Sony is
20 asserting against each accused product. Vizio further objects to this RFP as
21 premature to the extent it calls for information that will be the subject of expert
22 reports. Vizio further objects to this RFP as premature to the extent it requests
23 information from Vizio in contravention of the Court's Scheduling Orders. Vizio
24 further objects to this RFP to the extent it seeks information protected by attorney-
25 client privilege, the work product doctrine, common interest or joint defense
26 privilege.

27 Subject to, and without waiver of the foregoing objections, Vizio will
28 produce non-privileged, responsive and relevant documents, if any, in its

1 possession, custody or control, located after a reasonable search, in accordance with
2 the Court's Scheduling Orders and all applicable local and federal rules, but only
3 after entry of a suitable protective order.

4 **REQUEST FOR PRODUCTION NO. 134:**

5 All Documents that support any contention by Vizio that one or more of the
6 patents-in-suit is unenforceable for any reason including, without limitation, laches,
7 equitable estoppel, express or implied license, exhaustion, intervening rights,
8 express or implied waiver, inequitable conduct, patent misuse, unclean hands,
9 and/or prosecution laches.

10 **RESPONSE:**

11 Vizio incorporates by reference each of its General Objections as though
12 fully set forth herein. Vizio further objects to this RFP as premature in that Sony
13 has not yet identified any accused products or the specific claims that Sony is
14 asserting against each accused product. Vizio further objects to this RFP as
15 premature to the extent it calls for information that will be the subject of expert
16 reports. Vizio further objects to this RFP as premature to the extent it requests
17 information from Vizio in contravention of the Court's Scheduling Orders. Vizio
18 further objects to the extent it seeks information not within Vizio's possession,
19 custody or control. Vizio further objects to this RFP to the extent it seeks
20 information protected by attorney-client privilege, the work product doctrine,
21 common interest or joint defense privilege.

22 Subject to, and without waiver of the foregoing objections, Vizio will
23 produce non-privileged, responsive and relevant documents, if any, in its
24 possession, custody or control, located after a reasonable search, but only after
25 entry of a suitable protective order.

26 **REQUEST FOR PRODUCTION NO. 135:**

27 All Documents produced or made available to Vizio by any non-party or
28 third-party pursuant to any subpoena in this action.

1 **RESPONSE:**

2 Vizio incorporates by reference each of its General Objections as though
3 fully set forth herein. Vizio further objects to this RFP as premature in that Sony
4 has not yet identified any accused products or the specific claims that Sony is
5 asserting against each accused product. Vizio further objects to the extent it seeks
6 the confidential information of third parties.

7 Subject to, and without waiver of the foregoing objections, Vizio will
8 produce non-privileged, responsive and relevant documents, if any, in its
9 possession, custody or control, located after a reasonable search, but only after
10 entry of a suitable protective order and only after permission to produce responsive
11 documents has been obtained by the non-party.

12 Dated: April 22, 2009

JONES DAY

13
14 By: 

15 Steven J. Corr

16 Attorneys for Defendant
17 VIZIO, INC.
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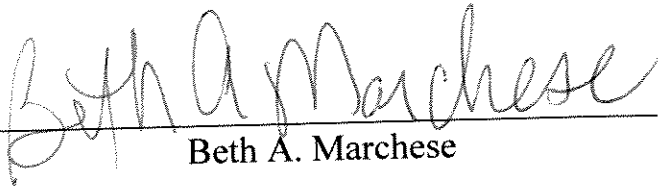
VIZIO'S RESPONSE TO SONY'S FIRST SET OF REQUESTS FOR PRODUCTION

- Steve Anderson, Esq.
QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP
865 S. Figueroa Street, 10th Floor
Los Angeles, California 90017
sony-vizio@quinnemanuel.com

LAI-3016875v3

1 I declare that I am employed in the office of a member of the bar of this court
2 at whose direction the service was made.

3 Executed on April 22, 2009, at Los Angeles, California.

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5 Beth A. Marchese
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